

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

CHERYL BESSER, individually and on behalf of
all others similarly situated,

Plaintiff,

Case No. 1:13-cv-00500-PLM

v.

Hon. Paul L. Maloney

FIRST NATIONAL BANK OF MICHIGAN,

Defendant.

_____ /

STIPULATION AND ORDER OF DISMISSAL

The parties, by and through their undersigned counsel, hereby stipulate and agree to the dismissal of this lawsuit and all claims made therein, with prejudice, with each party to bear its own costs and attorneys' fees.

NOW, THEREFORE, IT IS HEREBY ORDERED THAT:

1. Plaintiff's Complaint against Defendant and any amended versions of the Complaint filed in this matter, are dismissed, in their entirety, with prejudice; and

2. Each party shall bear its own costs and attorneys' fees.

This Order resolves the last pending claim and closes this case.

IT IS SO ORDERED.

Date: July 25, 2013

/s/ Paul L. Maloney

Hon. Paul L. Maloney

APPROVED FOR ENTRY BY:

THE LAW OFFICES OF DANIEL O. MYERS

/ s / Daniel O. Myers

Daniel O. Myers (P49250)
100 Park Street
Traverse City, MI 49684
231-929-0500
dmyers@domlawoffice.com

MILLER, CANFIELD, PADDOCK AND STONE, PLC

/ s / Pamela C. Enslen

Pamela C. Enslen (P33368)
277 s. Rose Street, Suite 5000
Kalamazoo, MI 49007
269-381-7030
enslen@millercanfield.com

Carlson Lynch Ltd

/ s / Gary F. Lynch

Gary F. Lynch
PNC Park
115 Federal Street, Suite 210
Pittsburgh, PA 15212
412-322-9243

DATE: July 25, 2013